

# EXECUTIVE COUNCIL OF IOWA AGENDA

State Capitol - Robert D. Ray Conference Room (G09) 10:00 a.m.

**November 19, 2018**

1. Approval of minutes of meeting held October 29, 2018
2. Personal Appearance –
  - A. Harry Rossander, Department of Human Services will be present to request Resolution of Funds in the amount of \$90,000.00 pursuant to Iowa Code §29C.20A with regard to Governor's Proclamation of a State of Disaster Emergency for Henry, Muscatine and Washington Counties.  
**TAB # 1**
  - B. Harry Rossander, Department of Human Services will be present to request additional Resolution of Funds in the amount of \$25,000.00 pursuant to Iowa Code §29C.20A with regard to Governor's Proclamation of a State of Disaster Emergency for Allamakee, Bremer, Chickasaw, Cerro Gordo, Floyd, Howard and Winneshiek Counties.  
**TAB # 2**
3. Iowa Code §7D.10 – Page 1  
**TAB # 3**
4. Outside Counsel – Page 1  
**TAB # 4, 5, 6**
5. Leases – Page 2
6. Emergency Allocations – Page 2-5
7. Payment of Cost Items (1 of 2) – Page 5-12
8. Payment of Cost Items (2 of 2) – Page 12
9. Information Items – Page 12-13

**3. Iowa Code §7D.10**

- A. Attorney General's office requests Payment for Expenses under Iowa Code §7D.10 in the amount of \$20,980.89.

**TAB # 3**

**4. Outside Counsel**

- A. The Department of Justice, Attorney General's office requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Cherie Kreger v. University of Northern Iowa, State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.  
Attorney: Ryan Clark  
505 5<sup>th</sup> Avenue  
Suite 729  
Des Moines, IA 50309  
Rate: \$140.00 Per Hour

**TAB # 4**

- B. The Department of Justice, Attorney General's office requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Kameron Paulus v. Mt. Pleasant Correctional Facility, State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.  
Attorney: Ryan Clark  
505 5<sup>th</sup> Avenue  
Suite 729  
Des Moines, IA 50309  
Rate: \$140.00 Per Hour

**TAB # 5**

- C. The Department of Justice, Attorney General's office requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Barbara Stevens v. Iowa State University, State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.  
Attorney: Ryan Clark  
505 5<sup>th</sup> Avenue  
Suite 729  
Des Moines, IA 50309  
Rate: \$140.00 Per Hour

**TAB # 6**

**5. Leases**

**A. Lease between DNR and Bunge North America**

Date of Lease: Five years, expiring June 30, 2023

Legal Description: A parcel of Mississippi River bed including approximately 1,000 feet of frontage by 140 feet of depth located at Mississippi River Mile 633.3 in Section 22, Township 75 North, Range 3 West of the 5<sup>th</sup> P.M. in Clayton County, Iowa.

Purpose: Barge fleeting area for a grain elevator

Annual Fee: \$8,000.00

Noel Hindt, Assistant Attorney General, has reviewed the above lease and approved the lease as to form.

**B. Lease between DNR and Bunge North America**

Date of Lease: Five years, expiring June 30, 2023

Legal Description: A portion of Mississippi River with approximately 1,500 feet of frontage at river mile 633.3 in Section 27, Township 75 North, Range 3 West of the 5<sup>th</sup> P.M. in Clayton County, Iowa.

Purpose: Barge fleeting area for a grain elevator

Annual Fee: \$13,945.00

Noel Hindt, Assistant Attorney General, has reviewed the above lease and approved the lease as to form.

**6. Emergency Allocations**

**A. Board of Regents – University of Iowa is requesting an emergency allocation and reimbursement in the amount of \$6,716.75. On November 27, 2017 a fire damaged flooring and the living area at Tamisiea Cottage Lakeside Laboratory in Milford, Iowa. Request is to cover repair costs.**

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation will be closed.

**B. Iowa Communications Network is requesting a supplemental emergency allocation in the amount of \$756.69. This will increase the total allocation to \$14,350.52. On February 12, 2018 ICN sustained cable damage due to rodent chews along Caves Road in Jackson County. Request is to cover repair costs.**

The State Auditor's Office has reviewed this request and recommends allocation, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included.

- C. Iowa Communications Network is requesting a supplemental emergency allocation in the amount of \$2,332.34. This will increase the total allocation to \$14,560.00. On July 17, 2018 ICN sustained cable damage due to erosion along Harrison Avenue near Rock Rapids. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included.

- D. Iowa Communications Network is requesting an emergency allocation in the amount of \$33,845.22. On September 25, 2018 ICN sustained cable damage due to erosion along Interstate 80 at Sugar Creek in Cedar County. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included.

- E. Iowa Communications Network is requesting an emergency allocation in the amount of \$27,363.91. On October 2, 2018 ICN sustained cable damage due to erosion along Highway 13 in Clayton County. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included.

- F. Iowa Communications Network is requesting an emergency allocation in the amount of \$16,470.45. On October 3, 2018 ICN sustained cable damage due to erosion along Highway 4 in Emmet County. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included.

- G. Department of Public Safety is requesting an emergency allocation in the amount of \$3,527.63. On August 24, 2018 State Patrol Vehicles #381 and #180 was damaged by hail in Cerro Gordo County. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation, subject to audit of actual invoices.

- H. Department of Public Safety is requesting an emergency allocation in the amount of \$6,012.35. On September 1, 2018 State Patrol Vehicle #32 was damaged by a deer in Crawford County. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation, subject to audit of actual invoices.

- I. Department of Public Safety is requesting an emergency allocation in the amount of \$4,281.41. On September 23, 2018 State Patrol Vehicle #387 was damaged by a deer on 520<sup>th</sup> Avenue in Monroe County. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation, subject to audit of actual invoices.

- J. Department of Public Safety is requesting an emergency allocation in the amount of \$2,995.04. On October 1, 2018 State Patrol Vehicle #298 was damaged by a raccoon in Clayton County. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation, subject to audit of actual invoices.

- K. Department of Public Safety is requesting an emergency allocation in the amount of \$6,305.66. On October 2, 2018 State Patrol Vehicle #34 was damaged by a deer on Highway 28 in Warren County. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation, subject to audit of actual invoices.

- L. Department of Public Safety is requesting an emergency allocation and reimbursement in the amount of \$9,591.44. On August 16, 2018 and September 6, 2018 State Patrol Vehicle #105233 was damaged by a deer. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation will be closed.

- M. Department of Public Safety is requesting an emergency allocation in the amount of \$5,639.95. On October 18, 2018 State Patrol Vehicle #278 was damaged by a deer on Highway 30 in Linn County. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation, subject to audit of actual invoices.

- N. Department of Natural Resources is requesting an emergency allocation in the amount of \$69,050.00. On July 19, 2017 a storm caused damage to Pikes Peak State Park. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation, in the amount of \$26,100.00 as the DNR has entered into a timber sale contract with a vendor that will harvest the storm damaged trees for \$42,950.00. The allocation is subject to audit of actual invoices.

- O. Department of Administrative Services is requesting an emergency allocation in the amount of \$489,264.24. On June 25, 2018 and June 30, 2018 heavy rains caused flooding and damage on the Capitol Complex. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation, subject to audit of actual invoices.

**7. Payment of Cost Items (1 of 2)**

- A. Iowa Communications Network .....\$3,626.11  
On February 23, 2018 a cable was damaged due to rodent chews along Highway 6 in Winneshiek County. Request was to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$7,778.64 will be reverted and this allocation closed.

- B. Iowa Communications Network .....\$24,711.60  
On July 16, 2018 ICN sustained cable damage due to erosion along Interstate 380 in Johnson County. Request was to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment and this allocation closed

- C. Board of Regents – University of Northern Iowa.....\$3,183.95  
On June 15, 2017 hail caused damage on UNI Campus involving Bartlett Hall Roof, Numerous Condensers and a Medical Chiller. Request was to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$7,990.50 will be reverted and this allocation closed.

- D. Department of Cultural Affairs.....\$10,504.84  
On August 30, 2018 there was damage to the HVAC system due to a theft at Western Historic Trails Center in Council Bluffs. Request was to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment and this allocation closed

- E. Department of Natural Resources .....\$4,919.40  
Drainage taxes for the following counties:

Des Moines	\$484.00
Emmet	\$31.00
Greene	\$19.90
Louisa	\$1,784.00
Monona	231.50
Muscatine	\$132.00
Palo Alto	\$2,237.00

Noel Hindt, Assistant Attorney General, has reviewed this request and recommends payment.

- F. Simmons Perrine Moyer Bergman PLC.....\$300.00  
115 Third Street SE, Suite 1200  
Cedar Rapids, IA 52402  
Tobacco Settlement Authority

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Tobacco Settlement Authority.

- G. Foley & Lardner, LLP.....\$3,992.00  
321 North Clark Street  
West Des Moines, IA 50265  
Legal Advice to OCIO

Jeffrey S. Thompson, Solicitor General has reviewed this invoice and recommends payment. Payment will be made by OCIO.

- H. Foley & Lardner, LLP.....\$1,896.20  
321 North Clark Street  
West Des Moines, IA 50265  
Legal Advice to OCIO

Jeffrey S. Thompson, Solicitor General has reviewed this invoice and recommends payment. Payment will be made by OCIO.

- I. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$1,276.00  
The Davis Brown Tower  
215 10<sup>th</sup> Street, Suite 1300  
Des Moines, IA 50309-3993  
Legal Services to state agencies on issues related to the visa status of prospective state employees

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of OCIO.

- J. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$100.80  
The Davis Brown Tower  
215 10<sup>th</sup> Street, Suite 1300  
Des Moines, IA 50309-3993  
Legal Services to state agencies on issues related to the visa status of prospective state employees

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of OCIO.



K. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$50.40  
The Davis Brown Tower  
215 10<sup>th</sup> Street, Suite 1300  
Des Moines, IA 50309-3993  
Legal Services to state agencies on issues related to the visa status of  
prospective state employees

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and  
recommends payment. Payment will be made from the funds of OCIO.

L. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$63.00  
The Davis Brown Tower  
215 10<sup>th</sup> Street, Suite 1300  
Des Moines, IA 50309-3993  
Special Counsel for Copyright, Trademark & Patent Issues

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and  
recommends payment. Payment will be made from the funds of Department of  
Transportation.

M. Barnes & Thornburg LLP.....\$475.00  
One North Wacker Drive, Suite 4400  
Chicago, IL 60606  
Peregrine Financial Group (PFG) Bankruptcy

Jeffrey S. Thompson, Solicitor General has reviewed this invoice and  
recommends payment. Payment will be made from the University of Northern  
Iowa.

N. Gray Miller Persh, LLP.....\$458.70  
1200 New Hampshire Ave., N.W.  
Washington, D.C. 20036  
Iowa Public Television

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and  
recommends payment. Payment will be made from the funds of Iowa Public  
Television.

- O. Gray Miller Persh, LLP.....\$834.00  
1200 New Hampshire Ave., N.W.  
Washington, D.C. 20036  
Iowa Public Television

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of Iowa Public Television.

- P. Richard J. Bennett, Sr.....\$4,446.00  
PO Box 65666  
West Des Moines, IA 50265  
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General's Office

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Attorney General's Office's Forfeiture Fund.

- Q. Patterson Law Firm L.L.P.....\$78.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Rory Aschbrenner vs. Iowa State University, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- R. Patterson Law Firm L.L.P.....\$552.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Reginald Van Dusseldorp vs. Newton Correctional Facility, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

S. Patterson Law Firm L.L.P.....\$624.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Mark Alan Plueger v. Iowa Department of Transportation, State of Iowa and  
Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and  
recommends payment. Payment will be made from the Second Injury Fund.

T. Patterson Law Firm L.L.P.....\$156.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Joshua Garringer v. University of Iowa, State of Iowa and Second Injury Fund  
of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and  
recommends payment. Payment will be made from the Second Injury Fund.

U. Patterson Law Firm L.L.P.....\$24.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Mary Kimball v. Woodward Resource Center, State of Iowa and Second  
Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and  
recommends payment. Payment will be made from the Second Injury Fund.

V. Patterson Law Firm L.L.P.....\$576.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Mark Ostring v. Woodward Resource Center, State of Iowa and Second  
Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and  
recommends payment. Payment will be made from the Second Injury Fund.

W. Patterson Law Firm L.L.P.....\$176.84  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
James Conwell v. University of Iowa Hospitals and Clinics, State of Iowa and  
Second Injury

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and  
recommends payment. Payment will be made from the Second Injury Fund.

X. Patterson Law Firm L.L.P.....\$60.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Steven Porter v. Iowa State Fair, State of Iowa and Second Injury Fund of  
Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and  
recommends payment. Payment will be made from the Second Injury Fund.

Y. Patterson Law Firm L.L.P.....\$144.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Myra Ball v. Iowa Insurance Division, State of Iowa and Second Injury Fund  
of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and  
recommends payment. Payment will be made from the Second Injury Fund.

Z. Patterson Law Firm L.L.P.....\$84.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
James Brundies v. Iowa Department of Transportation, State of Iowa and  
Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and  
recommends payment. Payment will be made from the Second Injury Fund.

- AA. Patterson Law Firm L.L.P.....\$408.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Jeffrey M. Skaggs v. Newton Correctional Facility, State of Iowa and  
Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

**3. Payment of Cost Items (2 of 2)**

- A. LaMarca & Landry, P.C.....\$16,635.13  
1820 N.W. 118<sup>th</sup> Street, Suite 200  
Des Moines, IA 50325  
Godfrey v. State of Iowa et al, civil rights complaint

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the General Fund.

- B. LaMarca & Landry, P.C..... \$1,352.69  
1820 N.W. 118<sup>th</sup> Street, Suite 200  
Des Moines, IA 50325  
Godfrey v. State of Iowa et al, civil rights complaint

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the General Fund.

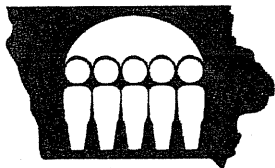
- C. LaMarca & Landry, P.C..... \$79.50  
1820 N.W. 118<sup>th</sup> Street, Suite 200  
Des Moines, IA 50325  
Godfrey v. State of Iowa et al, civil rights complaint

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the General Fund.

**8. Information Items**

- A. On October 8, 2018 the Executive Council approved the Department of Natural Resources Draining taxes for Fremont County in the amount of \$12,876.77. Due to the timing of an August land acquisition the drainage tax was billed to the State of Iowa, but had already been paid by the previous owner. The state over paid the drainage tax by \$649.78. The check will be reissued for \$12,226.99 upon receipt of the original check.

- B. On October 8, 2018 the Executive Council approved the Department of Natural Resources Draining taxes for Winnebago County in the amount of \$16,371.40. Due to the number of receipts it was undeterminable where the overage of \$317.81 was from. \$317.81 is being sent back to the State of Iowa.



# Iowa Department of Human Services

Kim Reynolds  
Governor

Adam Gregg  
Lt. Governor

Jerry R. Foxhoven  
Director

Victoria Newton, Executive Secretary  
Executive Council of Iowa  
State Capitol Building  
LOCAL

November 8, 2018

Re: Governor's Proclamation of a State of Disaster Emergency – Request for Funds

Dear Ms. Newton:

On October 4, 2018, a severe storm system in Henry, Muscatine, and Washington Counties caused damage.

Per the Governor's Disaster Proclamation, I am requesting funding for the Iowa Individual Assistance Grant Program (IIAGP) and Iowa Disaster Case Management Grant Program (IDCM) be placed on the Executive Council Agenda for Tuesday, November 13, 2018. The Iowa Department of Human Services is requesting the Executive Council adopt a Resolution for Funds in the amount of \$90,000.00 to be allocated as follows.

- \$50,000.00 for IIAGP for Henry, Muscatine, and Washington Counties
- 
- \$40,000.00 for IDCM for Henry, Muscatine, and Washington Counties

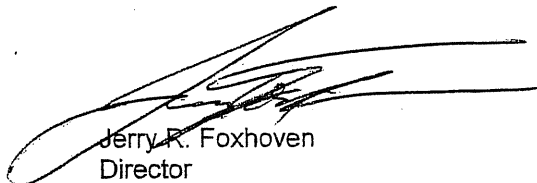
Pursuant to Iowa Code 29C.20A these funds will be distributed to individuals or families to replace/repair items affected by the disaster emergency which cannot be met by other means of financial assistance. Pursuant to Iowa Code 29C.20B funding will be distributed to Disaster Case Management to help individuals or families with unmet needs that were affected by the disaster to establish a recovery plan.

The account coding for the funds to be transferred will be:

<u>Dept</u>	<u>Fund</u>	<u>Appr</u>	<u>Org</u>
401	0391	0000	1915_State Only Disaster IIAGP (10/22/18) Henry, Muscatine, and Washington Counties
401	0391	0000	6027_State Only Disaster IDCM (10/22/18) Henry, Muscatine, and Washington Counties

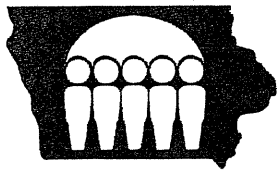
Thank you for your assistance.

Sincerely,



Jerry R. Foxhoven  
Director

cc: Vern Armstrong, Department of Human Services  
Christie Templeton, Department of Human Services  
Harry Rossander, Department of Human Services  
Barb DeJoode, Department of Human Services  
Robert Beran, Department of Human Services  
Trudy Crawford, Department of Human Services  
Linda Leto, Department of Management



# Iowa Department of Human Services

Kim Reynolds  
Governor

Adam Gregg  
Lt. Governor

Jerry R. Foxhoven  
Director

November 8, 2018

Victoria Newton, Executive Secretary  
Executive Council of Iowa  
State Capitol Building  
LOCAL

Re: Governor's Proclamation of a State of Disaster Emergency – Request for Funds

Dear Ms. Newton:

On June 10, 2018, a severe storm system caused flooding in Allamakee, Bremer, Chickasaw, Cerro Gordo, Floyd, Howard, and Winneshiek Counties causing damage.

Per the Governor's Disaster Proclamation, I am requesting additional funding for the Iowa Individual Assistance Grant Program (IIAGP) be placed on the Executive Council Agenda for Tuesday, November 13, 2018. The Iowa Department of Human Services is requesting the Executive Council adopt a Resolution for Funds in the amount of \$25,000.00 to be allocated as follows.

- \$25,000.00 for IIAGP Allamakee, Bremer, Chickasaw, Cerro Gordo, Floyd, Howard, and Winneshiek Counties

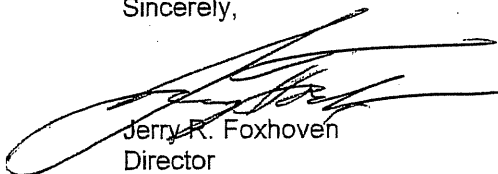
Pursuant to Iowa Code 29C.20A these funds will be distributed to individuals or families to replace/repair items affected by the disaster emergency which cannot be met by other means of financial assistance.

The account coding for the funds to be transferred will be:

<u>Dept</u>	<u>Fund</u>	<u>Appr</u>	<u>Org</u>
401	0391	0000	1803_State Only Disaster IIAGP (6/11/18)

Thank you for your assistance.

Sincerely,



Jerry R. Foxhoven  
Director

cc: Vern Armstrong, Department of Human Services  
Christie Templeton, Department of Human Services  
Harry Rossander, Department of Human Services  
Barb DeJooode, Department of Human Services  
Robert Beran, Department of Human Services  
Trudy Crawford, Department of Human Services  
Linda Leto, Department of Management



THOMAS J. MILLER  
ATTORNEY GENERAL

ERIC TABOR  
CHIEF DEPUTY ATTORNEY GENERAL



IOWA DEPARTMENT OF JUSTICE  
OFFICE OF THE ATTORNEY GENERAL

1305 E. WALNUT ST.  
DES MOINES, IA 50319  
Main: 515-281-5164 • Direct: 515-281-5191  
Email: [Eric.Tabor@ag.iowa.gov](mailto:Eric.Tabor@ag.iowa.gov)  
[www.iowaattorneygeneral.gov](http://www.iowaattorneygeneral.gov)

November 6, 2018

Ms. Victoria Newton  
Executive Secretary  
Executive Council  
State Capitol  
L-O-C-A-L

Re: Request for Payment of SVP Court Costs

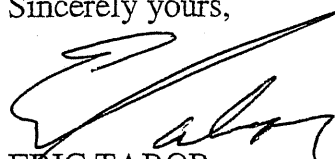
Dear Victoria:

Our Office requests Executive Council approval for payment pursuant to Iowa Code section 7D.10 for court costs and expenses incurred in prosecuting civil commitments under Iowa Code chapter 229A for the Sexually Violent Predator (SVP) program.

In addition to the cost of employee salaries, travel and support devoted to this program, the Office incurs substantial expenses for expert witnesses. These expenses have increased substantially due to the growing number of chapter 229A commitments. Section 7D.10 authorizes payment of court costs and expenses by the Executive Council "[i]f sufficient funds for court costs have not been appropriated to a state department, or if sufficient funds are not otherwise available for such purposes within the budget of a state department." There is no specific appropriation for these expenses and sufficient funds are not otherwise available.

Therefore, pursuant to Iowa Code section 7D.10, the Office requests Executive Council approval of payment of \$20,980.89 in expert witness fees (invoices enclosed).

Sincerely yours,



ERIC TABOR  
Chief Deputy

Encl.

THOMAS J. MILLER  
ATTORNEY GENERAL

JEFFREY S. THOMPSON  
SOLICITOR GENERAL



IOWA DEPARTMENT OF JUSTICE  
OFFICE OF THE ATTORNEY GENERAL

1305 E. WALNUT ST.  
DES MOINES, IA 50319  
Main: 515-281-5164 • Direct: 515-281-4419  
Email: Jeffrey.Thompson@iowa.gov  
www.iowaattorneygeneral.gov

October 24, 2018

Victoria Newton  
Executive Secretary  
Executive Council  
State Capitol  
L-O-C-A-L

Re: Retention of Outside Counsel


Dear Victoria:

Our office requests appointment of outside counsel pursuant to Iowa Code section 13.3(1) in *Cherie Kreger v. University of Northern Iowa, State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee. Because the resolution of this claim may turn on whether the State of Iowa or the Second Injury Fund must pay workers' compensation benefits, our office cannot represent both defendants.

In order to avoid a conflict of interest, the Special Litigation Division has contacted Ryan Clark of the Patterson Law Firm, L.L.P., 505 5<sup>th</sup> Avenue, Suite 729, Des Moines, Iowa 50309-2390, to represent the Second Injury Fund. Mr. Clark has agreed to represent the Second Injury Fund at the rate of \$140.00 per hour. Our office will represent the State of Iowa.

Accordingly, we request Executive Council approval to retain Mr. Clark to represent the Second Injury Fund in this case.

Sincerely,

  
JEFFREY S. THOMPSON  
Solicitor General

THOMAS J. MILLER  
ATTORNEY GENERAL

JEFFREY S. THOMPSON  
SOLICITOR GENERAL



IOWA DEPARTMENT OF JUSTICE  
OFFICE OF THE ATTORNEY GENERAL

1305 E. WALNUT ST.  
DES MOINES, IA 50319  
Main: 515-281-5164 • Direct: 515-281-4419  
Email: Jeffrey.Thompson@iowa.gov  
www.iowaattorneygeneral.gov

October 24, 2018

Victoria Newton  
Executive Secretary  
Executive Council  
State Capitol  
L-O-C-A-L

Re: Retention of Outside Counsel

Dear Victoria:

Our office requests appointment of outside counsel pursuant to Iowa Code section 13.3(1) in *Kameron Paulus v. Mt. Pleasant Correctional Facility, State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee. Because the resolution of this claim may turn on whether the State of Iowa or the Second Injury Fund must pay workers' compensation benefits, our office cannot represent both defendants.

In order to avoid a conflict of interest, the Special Litigation Division has contacted Ryan Clark of the Patterson Law Firm, L.L.P., 505 5<sup>th</sup> Avenue, Suite 729, Des Moines, Iowa 50309-2390, to represent the Second Injury Fund. Mr. Clark has agreed to represent the Second Injury Fund at the rate of \$140.00 per hour. Our office will represent the State of Iowa.

Accordingly, we request Executive Council approval to retain Mr. Clark to represent the Second Injury Fund in this case.

Sincerely,

JEFFREY S. THOMPSON  
Solicitor General

THOMAS J. MILLER  
ATTORNEY GENERAL

JEFFREY S. THOMPSON  
SOLICITOR GENERAL



IOWA DEPARTMENT OF JUSTICE  
OFFICE OF THE ATTORNEY GENERAL

1305 E. WALNUT ST.  
DES MOINES, IA 50319  
Main: 515-281-5164 • Direct: 515-281-4419  
Email: Jeffrey.Thompson@iowa.gov  
www.iowaattorneygeneral.gov

November 6, 2018

Victoria Newton  
Executive Secretary  
Executive Council  
State Capitol  
L-O-C-A-L

Re: Retention of Outside Counsel

Dear Victoria:

Our office requests appointment of outside counsel pursuant to Iowa Code section 13.3(1) in *Barbara Stevens v. Iowa State University, State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee. Because the resolution of this claim may turn on whether the State of Iowa or the Second Injury Fund must pay workers' compensation benefits, our office cannot represent both defendants.

In order to avoid a conflict of interest, the Special Litigation Division has contacted Ryan Clark of the Patterson Law Firm, L.L.P., 505 5<sup>th</sup> Avenue, Suite 729, Des Moines, Iowa 50309-2390, to represent the Second Injury Fund. Mr. Clark has agreed to represent the Second Injury Fund at the rate of \$140.00 per hour. Our office will represent the State of Iowa.

Accordingly, we request Executive Council approval to retain Mr. Clark to represent the Second Injury Fund in this case.

Sincerely,

JEFFREY S. THOMPSON  
Solicitor General